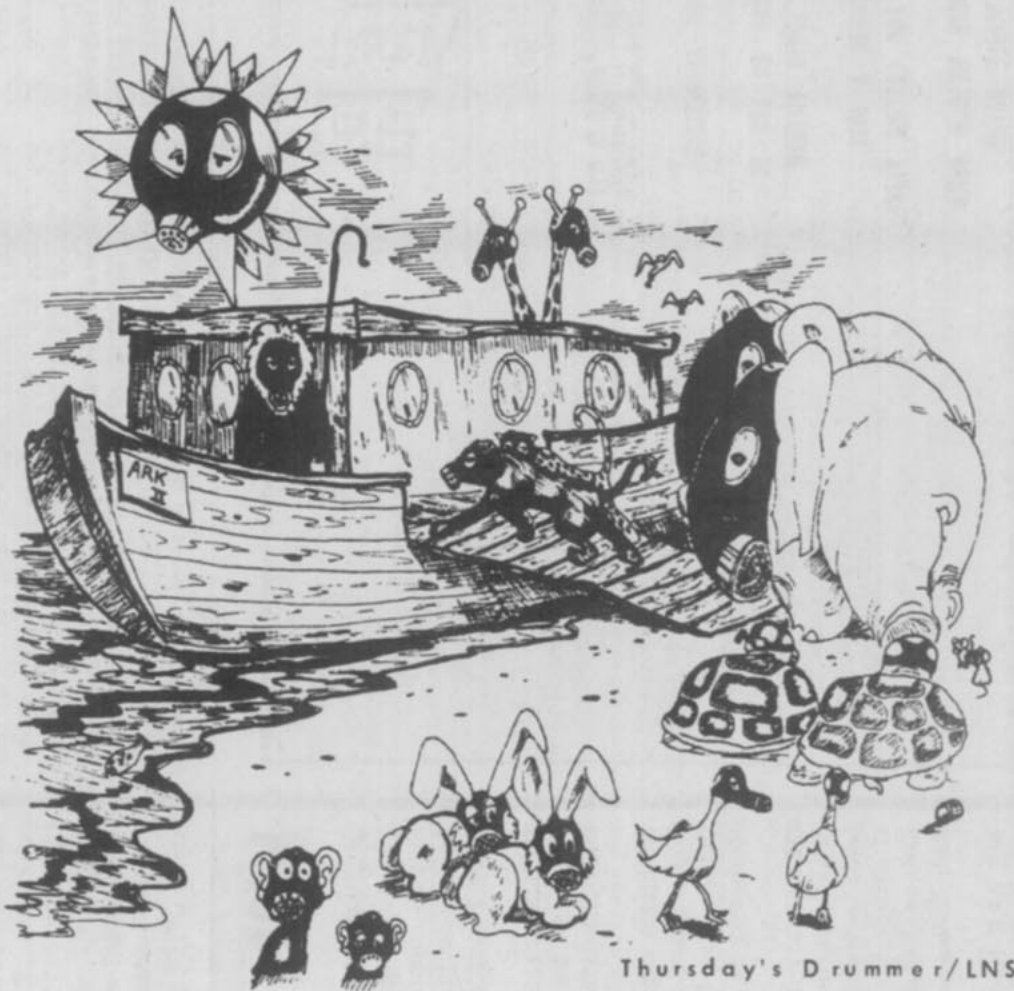


d.c. gazette

VOL. II NR. 19

JULY 5-25 1971

25¢



THE DEATH OF ERNEST THOMAS

The Ernest Thomas case

ANDREA O. COHEN

ON Easter Sunday Ernest Thomas died while being arrested for an alleged traffic violation.

On June 21, the Public Safety Committee of the DC Human Relations Commission, chaired by the reverend Michael Burton, heard testimony on Thomas' death. The Commission was responding to citizen dissatisfaction with the police department's handling of the case.

In preparation for the hearing Burton wrote to Chief Wilson requesting relevant police reports and that the arresting officers and other policemen involved in the Thomas case appear. Burton received no reply from Wilson. The department was represented by one police officer, Sergeant Joseph A. Smith, a specialist in police training who has no experience in traffic violations. One of Burton's conclusions is that the Human Relations Commission should be empowered to subpoena witnesses. . .

In the absence of an official police report, that department's case can be pieced together only through statements made to the press.

On Easter Monday the Post reported police sources as saying that the 33 year-old Southeast man had died after a struggle with two Washington policemen.

"The incident began, police said, when the officers were driving in a patrol wagon and saw Thomas turn on a red light at New York Avenue and 13th Street.

"... Thomas swore at them and told them to mail him his license and registration."

"He then drove off, with his 5-year-old son Eric in his car, and went through six red lights, police said, before pulling over again at 8th and I Streets NW."

"... Police said neither of the arresting policemen, Gregory L. Haslup, 21, and William L. Bowden, 25, struck Thomas with their nightsticks or guns, but that all three fell to the sidewalk during the struggle."

The Post, April 13: "Police said, one officer, Gregory Haslup, said, 'You're under arrest, sir,' and took Thomas by the elbow and told him to put his hands on his car and that Thomas began hitting the officer."

"Police said Thomas was 'healthy and conscious' when they walked him to the wagon."

The Post, April 20: "The officers said Thomas started fighting when they attempted to place him under arrest."

News stories in the other two dailies contained identical information.

Most of the following testimony was made at the June 21 hearing; some derives from earlier statements made before the Human Relations Commission:

A witness leaving the Greater New Hope Baptist Church at 8th and I, during the incident, reported that she heard a siren and "a patrol wagon pulled up beside me and stopped. The driver of the wagon who was white got out very angrily. . . As soon as the man (Thomas) got out of the car, the first officer hit him in the chest. He then kicked him in the stomach. By this time the second officer grabbed the man from behind. The first officer hit the man on the head. A little boy went over to them screaming, 'Let my Daddy go.' I went over and took the little boy. . . When I turned around again, the white officer was on the man's shoulders or head. The colored officer was on his hips. I didn't hear either of the officers ever speak a word. The man was lying with his face down in

the street. They then picked him up. I am sure he was unconscious because he was not moving. They then dragged him to the wagon and threw him in. At homicide they said he walked to the wagon. At the Grand jury seven persons testified he was dragged. I call it just plain murder" Because she received threats prior to her appearance before the grand jury, this witness wishes not to be named.

Dr. Richard Welton, the DC medical examiner, found that "careful examination of the head and scalp failed to reveal any exterior evidence of trauma." He performed the autopsy two hours after the death. Bruises turn black and therefore show only after a body "turns cold" and the coroner "found no evidence of rigor."

The mortician who later prepared the body for the family testified that there were four major wounds on Thomas' head. "One to the right and another to the left of his eyes could only have been from a blunt or round instrument. The one on the front of his head could have been from a fall, because it was spattered-like. A bone at the rear of the skull was jagged as though broken and there was massive coagulation of blood at the base of the skull."

Jayne Payne, the dead man's sister went to DC General to identify the body. "The attendant on duty said to me 'Someone really beat him up.' I called the police. They said they couldn't tell me anything. I said that was BS. I asked 'is anyone else hurt?' They said 'no'. So there couldn't have been a scuffle."

The autopsy report noted that the deceased had "chronic renal disease compatible with glomerulonephritis, pulmonary edema and emphysema and general visceral congestion." Mrs. Ramona Floyd, Thomas' landlady, testified that his kidney condition made him incapable of maneuvering. He was 5'10" and, largely because of fluid retention, weighed 264 pounds.

Ruthamae Thomas, the wife from whom Thomas had been separated for ten years, stated

that he would "come once or twice a month to see the girls. He'd gained so much weight, the girls hated to look at him. He couldn't get out of the car, so they went to the car to see him."

Delma Harrison, Thomas' niece, said that "he would come and send his boys to stay with us because he hadn't the strength or money to care for them. It took him 20 minutes just to get up our four flights of stairs."

According to Mrs. Floyd, a detective (without a search warrant) demanded that she hand over Thomas' medicine. She gave him an old prescription, retaining the medicine he'd been using most recently. She was given no receipt and no information other than that "Thomas had died." A week later two detectives came and asked for the resident manager. That's all."

Claude Thomas, the dead man's father, asked "How could he have run six lights on an Easter Sunday without getting into an accident?"

On April 15th, a group of black leaders called for a "complete investigation by all authorities involved, including the US Justice Department." They contended they had proof, including photographs of Thomas' body taken at the funeral home, that showed he was severely beaten. Among those signing the group's statement were: Charles Cassell of the School Board, Marion Barry, Goldie Johnson of the Metropolitan Police Wives Association, Rev. Joe Gipson and Reginald Booker of Government Employees United Against Racial Discrimination. The investigation they demanded never took place.

On the same day, Reginald Booker attempted to call Chief Wilson to inform him of evidence relevant to the upcoming grand jury investigation. His phone call was returned by deputy Chief Owen Davis in the form of a message (taken down by Booker's secretary) that "Police Chief Wilson will make an announcement about the grand jury investigation of the Ernest A. Thomas murder."

On the 20th of April, Booker wrote to the US States Attorney, Thomas A. Flannery, asking for a conference to apprise him of the existence of witnesses the grand jury had not called

CONTINUED ON NEXT PAGE



New at the zoo

THAT'S JOEY, the National Zoo's new Mat-schie's tree kangaroo peeking out of his mother's pouch. The photo is from Friends of the Zoo.

'How could he have run six lights on Easter Sunday without getting into an accident?'

and a second autopsy report it had neglected in its investigations. Flannery replied that "I will be on leave from the office, but in my absence Mr. Donald S. Smith, Chief of the Criminal Division of this office, will be available. . . ." Smith, Booker and Calvin Rolark, publisher of the Washington Informer, met on the 29th. Their talk, according to Booker, had no effect on the course of the investigation. On May 14, the grand jury decided against indicting either of the officers. A Post news story the following day stated that John F. Ruby II, chief of the grand jury section of the U.S. Attorney's said the office had called "all the witnesses we and the police had knowledge of to testify before the Grand Jury."

The June 21 hearing held by the HRC's public safety committee was held in an attempt to bring out facts suppressed by the police. It will hold a closed session to collect evidence from witnesses afraid to testify publicly. The committee's intention is to then make recommendations to the City Council for immediate change in police regulations.

The source of injustices perpetrated by the police, however, lies less in existing regulations than in recruitment practices and the enforcement of regulations.

Sergeant Joseph Smith, hinting perhaps that at least one of the arresting officers in the Thomas case was not officer material, pointed to a poll recently taken within the department. It shows that men join the force for money,

authority and to dodge the draft. An insignificant number join because they are "people-oriented." One may add that the image they project, and others make for them -- the element of fear and odium connected with being a policeman these days--makes it hard to recruit men who aren't thugs playing it straight. When asked whether the black community ought not to exercise control over the police department, Sergeant Smith replied, "if you improve the selection process, that wouldn't be needed. As it is, yes, and the department is racist."

At present the police alone have input in reviewing complaints against police officers. Complaints coming to the Complaint Review Board are investigated by members of the precinct in which they occurred. The number of complaints the police take action on are almost non-existent and the remainder go before a nearly defunct body, the Citizen's Review Board. Reginald Booker, among others, feels that citizens must exercise control over the police, beginning with the election of precinct chiefs.

The rare action taken against an insubordinate officer usually consists of transferring him. Although it might be difficult to require police to live in their precincts they ought at least to be residents of the District and be based in a neighborhood long enough to get to know its citizenry and their peculiar problems.

As it is, they consider their beat alien and dangerous territory. Stationing police in territories they know, and perhaps disarming them,

might result in the development of some semblance of mutual trust and respect between police and people, lessening paranoia which brutalizes everyone. It would probably even improve police efficiency ratings, familiarly known as "the scandal sheet."

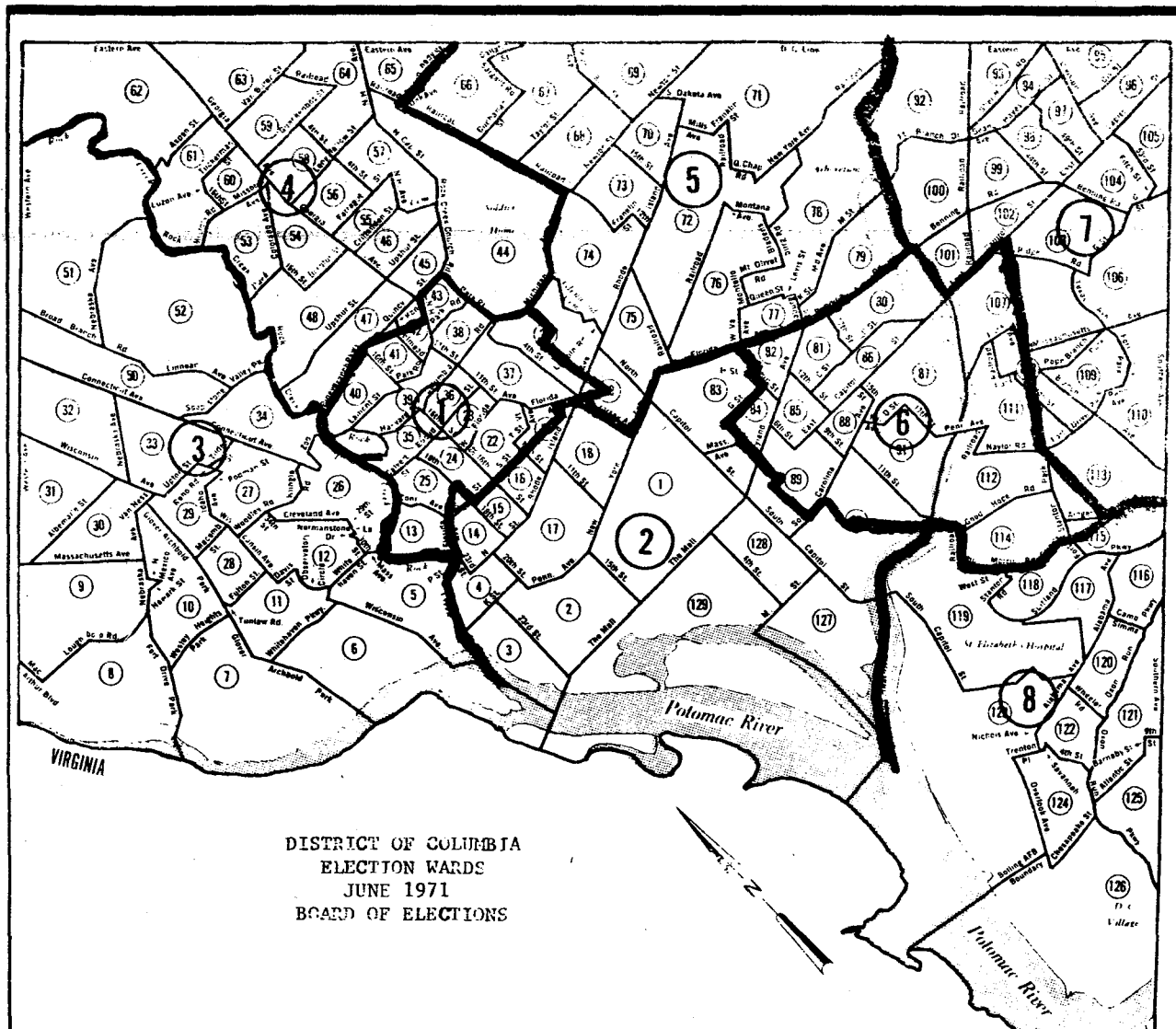
Pervasive is the feeling that what's rotten at the bottom is rotten at the top. This is not the first time Mike Burton has found Chief Wilson uncooperative. He has been working with the police for eleven years and has never been asked to sit in on a review board. Burton, along with others, feels the Chief wants to maintain a state of hostile siege. Police are people; they get mad at their wives and take it out on someone else's. "But", says Burton, "their position requires that they subdue their anxieties when dealing with people. And they would if they had the sort of Chief who felt responsible for people and told his men 'the first guy who doesn't carry out my orders, I'll bust.'"

letters

NO public official is above criticism by any person, newspaper, organization or whatever, but your remarks under the caption "Good bye, George" in the June 7-20 issue show an incredible lack of factual reporting and preparation. Further to include Mrs. Camer's Ladies-Home Journal style of rambling generalities, marks the piece for what it is: sloppy research work, sloppy journalism resulting in poor editorializing.

A copy of the Transit Commission order which instituted reduced fares for senior citizens in the Washington area and a copy of a recent statement by George Avery in support of the school transit subsidy are enclosed to make you aware of two positive facts out of many which you and Mrs. Camer chose to ignore.

ELAINE C. LaVAUTE



Moving the wards

ABOUT the best thing that can be said about the new ward boundaries, approved by the Board of Elections last month, is that the new wards are pretty closely equal in population. In reaching this result, however, the Board blithely slashed both Capitol Hill and Anacostia in two, thereby dispersing the political power of two sections of town troublesome to the District Building.

Although the Democratic Central Committee and the Americans for Democratic Action had presented a more reasonable plan that would have added a slice of upper Ward Seven to Ward Five, the Board never showed any inclination to tamper with the upper section of Far NE, which has little history of taking on the District Building. Oft-rambunctious Capitol East and Anacostia, which has a massive law suit pending against the city for unequal distribution of services, were another matter. Denied the opportunity for a frank gerrymander, the Board proved to be fairly resourceful anyway: A number of the most important community organizations in Anacostia now find themselves in Ward Six, separated from their constituency; Anacostia High School is in Ward Six while most of its students are in Ward Eight; and two of Capitol East's most liberal precincts are split between Wards Two and Six.

The new boundaries will stand for the next ten years, unless changed by legislation. The map above shows the general outline.




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Nixon's quackery

JAMES RIDGEWAY

THE health "reforms" probably will be a main issue of contention in the Presidential campaign, not only because Senator Kennedy seems to be running on the issue, but because the chaos in health care has spilled over into the middle classes and Nixon can scarcely shy clear of the problem.

While the government repeatedly has promised health reform, Nixon routinely reduced expenditures and opposed new health programs while he has been in office. In so doing, the government offered the excuse that it must oppose these piecemeal changes because revolutionary reform was in the works. Thus, the government said it wanted to support medical schools and medical training centers, but actually cut back monies allocated for medical research and scholarships. In the 1971 budget, funds for research were cut back across the board. To show his enthusiasm for training medical professionals, Nixon asked for less money for student loans. He signed an act permitting health professionals to do alternative draft service by practicing medicine in areas where doctors are scarce; but the act was never put into effect. The administration sought unsuccessfully to close down public service clinics where the new doctors were to practice. Of Nixon's six vetoes, three of them were to stop expansion of health services. He vetoed the 1970-71 appropriations bill for HEW; in a revised bill which finally became law, health programs were reduced to bare minimums to meet the administration's objections. A proposal for funds for children's dental service was eliminated entirely, and HEW told Congress it would not spend \$10 million originally planned as additional aid for its program to vaccinate school children against rubella.

In his health message, Nixon said he was unhappy because "50% of poor children are not even immunized against common childhood disease." But that was true because the government cut off funds to states and cities for mass immunization programs. The Vaccination Assistance Act ran out in 1969, and Nixon opposed its extension. When Congress went ahead and passed a \$75 million authorization anyway, HEW still insisted to the appropriations committee that the money wasn't necessary. As a result only \$2 million was appropriated, and little of that money was spent.

The result is predictable: As inoculations against communicable diseases dropped off, the number of children inoculated against measles declined. There were 25,000 cases of measles in 1969, 47,000 cases in 1970, and 60,000 predicted for 1971. Measles epidemics have been reported in 15 cities in the last six months. The incidence of diphtheria rose more

sharply last year than at any time since its decline began in 1920. The rate of immunization against polio has dropped from 78 percent in 1969, to 65 percent now. Among poor black and brown inner city children the rate is 47 percent.

HARD TIMES

Meanwhile Congress and the administration are engaged in debate over reform of health services. The argument has less to do with health than it does with subsidizing the insurance industry. Nixon's plan, now as in the mid 1950's when he was congressman, is to have the federal government underwrite the private insurance industry to provide some form of health insurance for a wider section of the populace. Senator Kennedy and the UAW want a nationalized health insurance program. The Blue Cross system, the insurance monopoly which now handles health insurance for 90 million Americans, hopes the government will employ it to do the job. In all likelihood the health reforms will be modeled along the lines of the Medicare system which has turned out to be a ghastly mess, largely because it is managed by Blue Cross and the large insurance companies. During the Medicare debates of the early 1960s the medical profession and Blue Cross vigorously argued against Medicare. Then when it appeared the battle was lost, and the bill about to be passed, Blue Cross changed its line and supported Medicare. Almost before the bill was passed the Blue Cross Association, the trade association and management arm for local Blue Cross plans, was nominated by hospitals to act as intermediary under Medicare. That means the Social Security Administration, directly in charge of the Medicare program, employed Blue Cross in most parts of the country to actually administer the program on a local level. Thus, one big insurance organization, Social Security, employed a second big insurance agency, Blue Cross, to manage the system.

Under the Medicare system Blue Cross is meant to keep close check on hospitals to ensure they provide adequate service and don't overcharge, and the Social Security Administration is meant to keep close tabs on the Blue Cross to make sure it is doing a proper job. But this arrangement is nonsensical on its face: Blue Cross was organized and is still controlled by hospitals through the American Hospital Association. The association owns the Blue Cross trademarks and approves the operations of local

plans, including rate schedules. Policies of local Blue Cross plans are established generally by self-perpetuating boards of directors; two thirds of the members are either doctors or hospital administrators. And in the federal government, the head of the Social Security Administration's Bureau of Health Insurance, the office which oversees Medicare, is Thomas Tierney, a former Blue Cross official. These ties might be passed off as merely symbolic were it not for the way the program is run. Neither Blue Cross nor the Social Security Administration will release to the public basic reports made on the Medicare program. Reports made by the Social Security Administration and called "contact performance reviews" are passed on to members of the Senate Finance Committee and the House Ways and Means Committee with the understanding that they can not be made public. Not wishing to antagonize the Social Security people, with whom they work on a day to day basis, the congressional committees go along with the arrangement. The documents are kept secret under the Freedom of Information Act, which permits the government to classify information as "internal correspondence."

But some reports are available and they suggest what is really going on with Medicare. Reports by the HEW Audit Agency, a section of HEW charged with checking into various programs within the department, shows that Blue Cross was allowing hospitals to utilize certain payment formulas under which the hospitals were charging Medicare for maternity care and private rooms. While there is no clear estimate of how much is involved, the HEW Audit Agency estimates total costs could be as much as \$1 million for each large hospital. In some instances, the agency reports, Blue Cross actually encouraged hospitals to change from one formula to another so that they could include such costs as maternity care. And the HEW reports indicate that Blue Cross does not have the capability for checking out hospital books and records to make sure they are accurate. There was, for instance, the case of a Medicare patient in Puerto Rico who spent more than 50 days in a hospital room for an operation. Things are such a mess that the Social Security Administration has stationed its own personnel within Blue Cross offices to help the plans run Medicare.

But the public doesn't generally know anything about this. What Social Security and the Congressional committees are saying is that Medicare costs a lot more than expected and that the rates must go up. What has happened, of course, is that the general citizenry, through tax payments, and individuals over 65, through Medicare charges, are footing the bill for an inefficient medical system. In this instance, old people who are hard pressed to get by under any circumstance, are helping to pay the cost of two insurance agencies employed to do the job of one and they are supporting a system which allows inefficiently managed hospitals to pass on their exorbitant charges.

Hospital practices must change for there to be any sort of real improvement in health care.

People simply must be treated by teams of para-medical personnel in their own communities. They need care in their own homes or in local clinics, last of all in hospitals. And treatment must be preventative in nature. These changes, as obvious as they may seem, run counter to the interests of medical practitioners clustered around hospitals, and it is hard to imagine such reforms could be brought about through Blue Cross which is owned by the hospitals. Yet the Medicare system, dominated by Blue Cross, looks like the basis for Nixon's health reform plan.

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what's happening

Recycling center

THE Washington Recycling Center (Washington Ecology Center), located next to the Safeway parking lot at 4865 MacArthur Boulevard, collects clean glass bottles and jars with labels left on and metal removed, newspapers, computer paper with carbon removed, computer cards and clean aluminum. Magazines and telephone books cannot be handled at this time. The items collected are sold to salvage dealers. The profits from the operation are used by the sponsoring organizations, Concern Inc. and the Washington Ecology Center, to finance the recycling center and some of their other projects. Since its inception the recycling center has collected approximately 475,000 pounds of newspapers, 145,000 pounds of glass and 1,500 pounds of aluminum. It costs the city \$50 a ton to collect its trash, according to Gilbert Hahn, chairman of the City Council. The recycling center has saved the city \$15,550 so far. The center now needs more volunteers, male and female, to help with the collection during its new summer hours, Saturdays and Sundays from 9 AM to 3 PM. Any groups or individuals interested in volunteering their time may call the Washington Ecology Center at 833-1778 for further information.

Childbirth classes

PARENT and Child Inc. is offering preparation for childbirth classes. Each course is 7 weeks and is taught in the evening by a registered Nurse. All aspects of pregnancy and childbirth are taught, including breathing techniques and exercises to use at the hospital, plus answers to questions and information that will help you work with your doctor. Parent and Child also supplies help and assistance for you after the baby is born. Two new classes are forming now for couples expecting in the fall. Starting July 7 through August 18 is a class to be held at All Saints Episcopal Church, Chevy Chase Circle, Md. And a class in Virginia begins July 19 and runs through August 30 at Clarendon Presbyterian Church, Arlington. For information or registration call, Mrs. Diane Pacchione at 966-5692 or Parent and Child at 530-6263.

New health clinic

THE Adams-Morgan Neighborhood Health Center, offering medical services to an area composed principally of Spanish-speaking people, has opened at 2320 17th St. NW. The new center has clinics for children and adults offering general medicine, gynecology, pre-natal and post-natal care and family planning. For adult appointments call 629-7659. The telephone number for the Health Center is 835-4296.

BIKE CENSUS

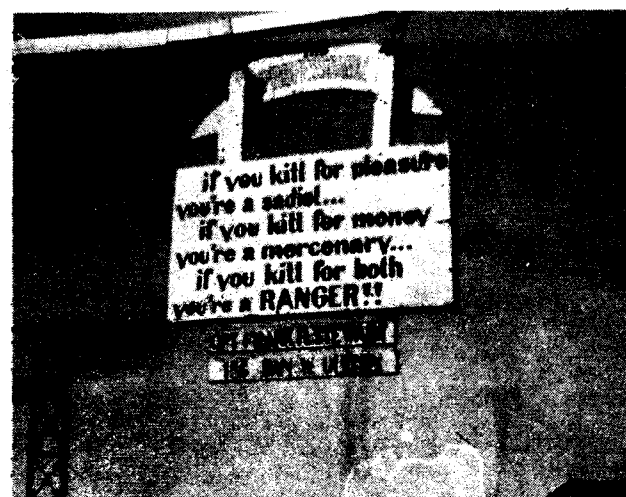
THE City Council is conducting a census of bike riders to determine which streets could best be used as bike routes. Jerry Moore, chairman of the Council's transportation committee, says the Council is thinking of making certain roads, such as East Capitol St., into reversible one-way streets with special bike lanes. Bike commuters are asked to write the City Council answering the following questions:

Where do you ride from?
Where do you ride to?
How many days of the week do you ride?
What months?
How long does it take you?
What do you do if it rains or is too cold?
What route (briefly) do you take? Do you use the sidewalk?
Comments.

Replies should be sent to the City Council, Transportation Committee, District Building, 14th & E NW, DC 20004. Or call Mead Walker or Charles Wilkes, 629-3806.

The bike census follows on the heels of Council passage of new bike regulations that, among other things, permit adults to ride bikes on sidewalks outside of business districts and which make bike registration voluntary. The new regulations, available from the City Council, strengthen bikers' rights on the road and include provisions for the establishment of bike racks on public space.

The provision permitting bikes on sidewalks outside of business districts will be of limited value until the city provides curb ramps, which would be highly desirable not only for bicyclists, but for baby carriages, shopping carts and wheelchairs as well.



LNS

Real estate tax

THE City Council meets 10 a.m. on July 7 as a committee of the whole to consider a proposed increase in the real estate tax rate for Fiscal Year 1972. The present rate is \$3.10 per hundred of assessed valuation. The Commissioner has proposed an increase by 30¢ per hundred valuation. Council Chairman Gilbert Hahn has proposed a 10¢ per hundred increase, to be used to fund the \$3 million school fare subsidy to DC Transit, if Congress orders that subsidy paid by the DC taxpayer. Hahn calls his tax "the Chalk tax." Persons wishing to testify can call 638-2223 or 629-3806.

(Walter) Fauntroy said on a TV interview show that Mrs. Green's appointment (to the House District Committee) probably meant he had failed in his major effort to date, that of lining up the 'arithmetic of power' on the House District Committee for home rule and related D.C. legislation. . . "I didn't know that members of Congress lied," he said at the conclusion, explaining that he had received verbal promises of support for (Rep.) Aspin's appointment from House Speaker Carl Albert (D-Okla.), Mills and 10 of the other 15 members of the Committee.

WASHINGTON POST, June 27, 1971

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d.c. gazette

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The DC Gazette is published biweekly (24 issues a year.) Available by mail at \$6 a year. Single copies: 25¢ each. Ten or more copies: 15¢ each. Twenty-five or more copies: 10¢ each.

Underground Press Syndicate, Liberation News Service, College Press Service.

STATEHOOD BILL DUE

It is expected that a bill will be soon introduced in Congress that would open the way for DC statehood. The bill will include provisions for a referendum, constitutional convention and advisory commission (to work out problems of state-federal government relations). The legislation is to pending 'home rule' measures as a 747 is to a DC-7. In fact, we don't see much reason for people to talk about home rule anymore. It's an insult to the people of the District, who have every right to be on a political par with the rest of the citizens of the United States. The new bill is a considerably stronger measure than that introduced earlier by Rep. Fred Schwengel (R-Iowa). Schwengel's bill suffers from a number of defects, the most serious being that it would require a constitutional amendment to be effective. Nonetheless, Schwengel deserves considerable credit for helping to lead the way to statehood and for showing more perception about the needs of the District than, say, one of the non-voting delegates in the House.

Radical bar session

A RADICAL Lawyers conference is scheduled in London the weekend of July 17 and 18, coinciding with the London convention of the American Bar Association. Tentative topics for discussion include 1) The role of law as an instrument for maintaining the power of the ruling class, 2) Ideas and comparison of methods for fighting the more overtly political cases, 3) The "neo-colonialist" role of law, and 4) The political role of the "radical lawyer" working within a profession and society whose structure he opposes. Info: Jeremy Smith, 40 Cowille Terrace, London W11, England.

New 'Tin Drum'

THE Washington Area Free University has just completed mailing and distribution of 10,000 copies of the Tin Drum Catalog. This summer issue offers more than 70 courses ranging from bicycle repair to Marxist economics and from French poetry to the occult. These course are open to the community at no charge. No pre-registration is necessary. Prospective participants can sign up with the individual course organizers whose telephone numbers are listed in the catalog. Catalogs may be found at student unions of area universities, in many stores in Georgetown and Capitol Hill, in bookstores and head shops, public libraries and the WAFU office at 1724 20th St. NW, DC 20009.

Summer courses

FRIENDSHIP House is offering classes in photography, African ballet, African/Latin percussion, art, cinematography and dialogue/street theatre. The courses, held at 619 D SE, meet three times a week. Info: Youth Services Division, Friendship House, 547-8880.

Student art

THE Second Annual Art and Youth Exhibition featuring pieces of art work by District of Columbia high school students, will be at the Corcoran through July 19. The exhibit will include batik, small sculpture, drawings, graphics, painting, crafts and photography.

AND THE ROCKETS' RED GLARE,
BOMBS BURSTING
IN AIR,
GAVE PROOF THRO'
THE NIGHT THAT
OUR FLAG WAS STILL
THERE.....



THE GOVERNMENT & DRUGS

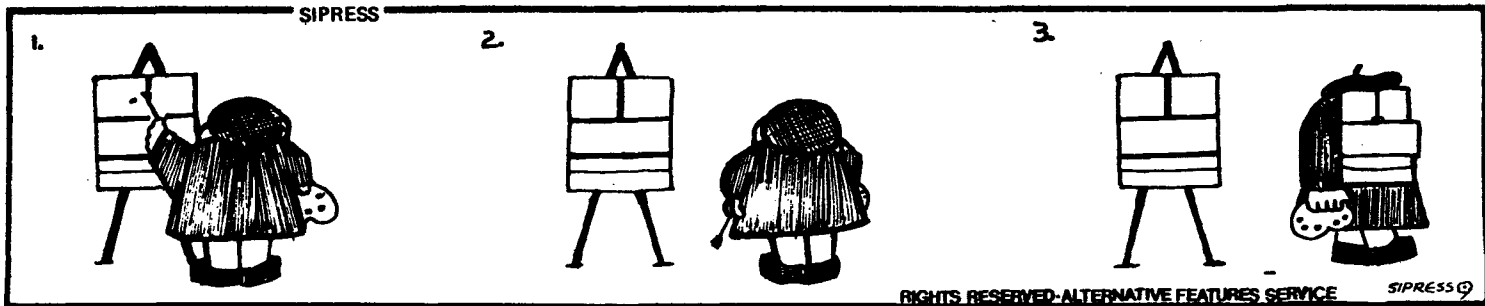
IN trying to arrive at solutions to the drug problem, instead of subsidizing community-based private organizations with a humanistic grass-roots approach to the conditions that breed a fragmented society, i.e. racism and white middle class alienation and rebellion, huge sums of money are about to be allocated to built-in bureaucratic failures. The programs heretofore suggested can accomplish nothing more than re-enforcing and perpetuating the symptom of the disease.

Picture, if you will for a moment, a process that encompasses so-called treatment for a mass of people that number somewhere in the millions, consisting of adolescents, young adults and some not so young, and adding to this several thousands of returning Vietnam veterans across the country, all of whom are processed through vast bureaucratic halls of machinery, registered, controlled and treated from one cubicle to the next -- an enormous and even more insidious welfare state than exists at the present time. The individual, in order to avail himself of this "treatment" must first file an application, be called, registered as an addict, given an identification card, urinate in a bottle, and then, proceeding to the next cubicle, be interviewed by either a drug counselor, psychologist or social worker. He then proceeds, perhaps at a later date, to an M.D. for a physical and maybe to a psychiatrist who does an evaluation and schedules him for either private, one-to-one counseling or group therapy; later he gets job counseling for non-existent jobs because he is a registered addict and is therefore subject to limitations, more particularly if he is black or of a minority race, or young and unskilled.

Theoretically, this is supposed to rehabilitate him back into the mainstream of the larger society that produced him in the first place. Presumably he is better able to cope with these same contradictions in his community; the availability of drugs, inadequate employment conditions, inadequate education or none at all, and a fragmented alienated police state where he is watched constantly, has to check in or report periodically to some authority or other and is in serious danger of regressing at any time. What you are talking about is institutionalizing millions of people in this way, programming them into dependent, sick, criminals wards of the state, governmentally controlled, researched, recorded and filed. . . A government with its top priority being the control of this mass of people rather than subsidizing and serving the needs of the people. The presumption is that the need is more drugs.

FROM TESTIMONY BEFORE A CONGRESSIONAL COMMITTEE BY RAP, INC.

SUBSCRIBE TO THE GAZETTE



Everything was going fine for Beau Bogan and Capitol Hill Renovations Inc. until they sold the house on 10th Street to John Herzig.

Then the trouble began.

MARK WEINBERG

BUT the point is, this was a college graduate. He was not a poor welfare case, he was trying to buy his first home. He was not an uneducated man, up from the hills being taken for a ride by a big city-slicker.

--Attorney's summation before the DC Real Estate Commission, April 26, 1971

"HE" is John Herzig; he feels he was taken for a ride; and he took his complaint to the DC government. He filed formal charges against Harney Skofield "Beau" Bogan Jr., a licensed realtor with large holdings on Capitol Hill. The dispute involves a house Herzig bought on Tenth Street SE in 1968. Bogan was the realtor who handled the transaction.

Herzig filed the complaint in October 1969, and the DC Real Estate Commission finally held hearings on the charges two months ago. The commission's decision will be announced within the next two weeks. It was the commission's first hearing this year. Last year the commission held three hearings and has yet to decide one of those cases. There was one hearing in 1969.

Bogan is formally charged with "making substantial misrepresentations" to Herzig, acting for both parties in the transaction "contrary to their knowledge" and with "demonstrating such unworthiness or incompetency to act as a real estate broker as to endanger the interests of the public." To understand the charges, you have to take a look at the disputed transaction -- which also provides an understanding of how the real estate game is played.

The Real Estate Commission's public hearing disclosed a network of interlocking organizations and owners who stood to profit from the sale of the house in some strange and wondrous ways. Herzig claims he was kept in the dark about this organization incest. Bogan claims the opposite. The principal characters are Mr. and Mrs. Herzig; Bogan; Capitol Hill Renovations Inc. (in which Bogan was treasurer and realtor); the four other individuals who formed CHR; the settlement company which drew up the final papers; Perpetual Building Association which handled all loans in the matter; the former owner of the house and the city government (not necessarily in order of appearance.)

The renovation corporation was formally born in October 1968, shortly before Herzig bought his house. The idea was that the corporation would buy houses in Capitol Hill, remodel them and sell them. There were five stockholders in the corporation and each would provide certain services to the business.

Herbert Lehner, president and apparent motivating force in forming the corporation, was to be the general contractor (at least on the Herzig house) and carpenter. John Auguste, vice president, would serve as electrician. Secretary Robert Cuttler would take care of the kitchens, and the final stockholder would handle the air conditioning. Beau Bogan, treasurer, would sell the properties. In the Herzig affair, the house was owned at various times by Lehner and Auguste, but never by the corporation, which

paid Lehner (as general contractor for renovation), Auguste (as Lehner's subcontractor for electrical work) and Bogan (for selling the house). Getting confused?

In June 1968, Lehner bought the house from Mrs. Rebecca Sandler for \$18,000. Bogan was the realtor and got a commission of \$1,080 (6%). Lehner put up some cash and took out a first trust for \$15,000 held by Mrs. Sandler.

Auguste bought the house from Lehner in 1968, "with the idea of the corporation remodeling it." He paid \$21,000, \$3,000 more than Lehner had spent for it. The term "straw" was mentioned in connection with Auguste's role. In any case, this transaction had the possible effect of jacking up the price of the house, useful since savings and loans institution base the worth of the house in part on its previous selling price.

Enter John Herzig, a 22-year veteran who had had done army intelligence work and had just moved to town to take a well-paying administrative job with the Metropolitan Police Department. He and his wife had been living in a suburban Virginia apartment which was too small to hold their furniture about to arrive from Mr. Herzig's last duty post overseas.

The Herzigs were looking for a house to rent in a hurry but were impressed when shown the Tenth Street house by one of Bogan's employees and decided to buy it. They wanted to put up as little cash as possible and Bogan agreed to help them out with allegedly favorable terms. Bogan stated at the hearing that the first thing he told the Herzigs was that he was a part owner. The Herzigs recall no such admission.

Lehner had not completed renovating the house and Bogan, according to his sworn testimony, was put out over this to the point that he only wanted to "just about break even on the thing. All I wanted was out of the deal" because he had to spend so much time bugging Lehner to finish the renovation that it wasn't financially worth his while. Bogan stated that he expressed his irritation with Lehner to the Herzigs when they were discussing terms.

The Herzigs signed the papers on October 24, 1968 to buy the house for \$42,000, twice what Auguste had paid for it. (The corporation had taken out a \$20,000 remodeling loan from Perpetual). They put down \$5,000 cash and took out a first trust with Perpetual for almost \$20,000. There was a second trust to Mrs. Sandler for \$8,000, which was the remaining amount owed her by Lehner. The final \$7,000 was to be furnished by a third trust from Auguste. The other \$2,000 was Bogan's commission. Are some of these names becoming familiar?

Now it gets complicated. Bogan testified that he thought he had a written commitment from Mrs. Sandler that the monthly payments on the second trust (to be made by the Herzigs) would be cut almost in half by a "curtailment." In other words, if Mrs. Sandler were to be paid a substantial hunk of the money owed her at the time the Herzigs bought the house, she would lower the Herzig's payments from \$120 to \$64 a month. Bogan thought this was specified in the terms of the earlier sale by Mrs. Sandler to

Lehner. If so, the reduction would be a matter of right. If not, such an agreement would have to be negotiated. It was on the assumption that the reduction had been agreed upon that Bogan discussed terms with the Herzig, according to the realtor's testimony.

Bogan, to his horror, found later that there was no curtailment provision in the deed of trust between Mrs. Sandler and Lehner. Bogan swore that he believed there was one. He claimed that when he handled the Sandler-to-Lehner deal he told the settlement company to get such a written commitment. Employees of the settlement company stated at the hearing that they were aware of the problem but that they never got Mrs. Sandler to put anything in writing about a curtailment. Bogan assumed full responsibility for this situation at the hearing. He said he tried to get Mrs. Sandler to agree to a curtailment provision but failed.

The Herzigs, on the other hand, were under the impression that they could get their second trust payments cut in half whenever they wanted, that the \$120-a-month payment could be changed if they ran into difficulty meeting the payments. (After the settlement, Bogan claimed that the Herzigs told him the higher payments -- \$120 -- would be 'no problem' in any case. The Herzigs remember the discussion somewhat differently.)

There were also problems on the first trust from Perpetual. At the settlement the Herzigs found that \$300 of the Perpetual money would not go toward payment of the house, but was being withheld from Perpetual's remodeling loan to Capitol Hill Renovations Inc. The tardy Mr. Lehner, the contractor and corporation president, was gumming up the works again.

According to the testimony, the gumming continued after the Herzigs moved in. They testified that they couldn't get Lehner to complete the renovation as he had agreed. Lehner told the commission that the Herzigs were impossible to deal with and were never around to let him in to do the necessary work. On one occasion the conflict erupted; at a meeting between Lehner, Bogan and the Herzigs, the four traded heated epithets.

Bogan claimed he had warned the Herzigs before they bought the house that "Lehner is a sloppy finisher; that he never can seem to get the details finished." Apparently, Bogan didn't feel that Capitol Hill Renovations Inc. was a rousing success. He told the commission that "I was almost forced into the partnership because one of the parties was a client of mine and he said if I didn't come in he was going to give all his business to somebody else. I hated to lose a client."

The Herzigs got the rest of the bad news when they decided, a year after they had bought the house, to sell it. They consulted with another realtor who looked over the papers the Herzigs had signed when they bought the house. The new realtor told them they were definitely stuck with paying the \$300 (remember the problem with the first trust?) and the \$120 a month to Mrs. Sandler rather than the \$64 (remember the second trust?). In a series of phone calls between Mr. Herzig and Mr. Bogan the charges and counter-charges escalated, and the Herzigs made a formal complaint to the real estate commission in October 1969.

Why didn't Herzig consult a lawyer before purchasing the house in the first place? Herzig testified: "(We) really trusted Mr. Bogan . . . It seemed like, you know, a reliable firm and we were interested in buying a house. We asked Mr. Bogan about having a lawyer and he said, 'No, it's not necessary unless you want to spend extra money.'" Caveat emptor.

How much did the corporation make? "About \$732 split five ways," according to Bogan. This, of course, doesn't count what Bogan got for his commissions (a total of \$2080), what Lehner got for his erratic remodeling efforts (costs plus 15%), what Auguste got for his electrical subcontracting and the interest on the \$7000 third trust.

Can you spot the misrepresentation, any acting for both parties contrary to their knowledge or any demonstration of unworthiness and incompetency to act as a real estate broker in this picture? The DC Real Estate Commission will provide its answer shortly. We'll let you know what they have decided. Meanwhile, take another look at any deeds of trust you may have signed.

IT'S a question of somebody lying, of course.

-- Harney Skofield "Beau" Bogan, June 25, 1971

A Construction Worker's Song

Day And Night
 Me and My Wife
 We continues
 To fight
 But our life is good
 So I think
 I work the weekdays
 And on
 The Weekends
 I drink

Cause mah wife
 She understans
 I'm poor
 And proud
 Her Black Man
 Keeping our beans
 And Bread in the house
 Is my chore
 To mah wife
 For
 It is her
 To Whom

I devote mah life.

THREE TIMES

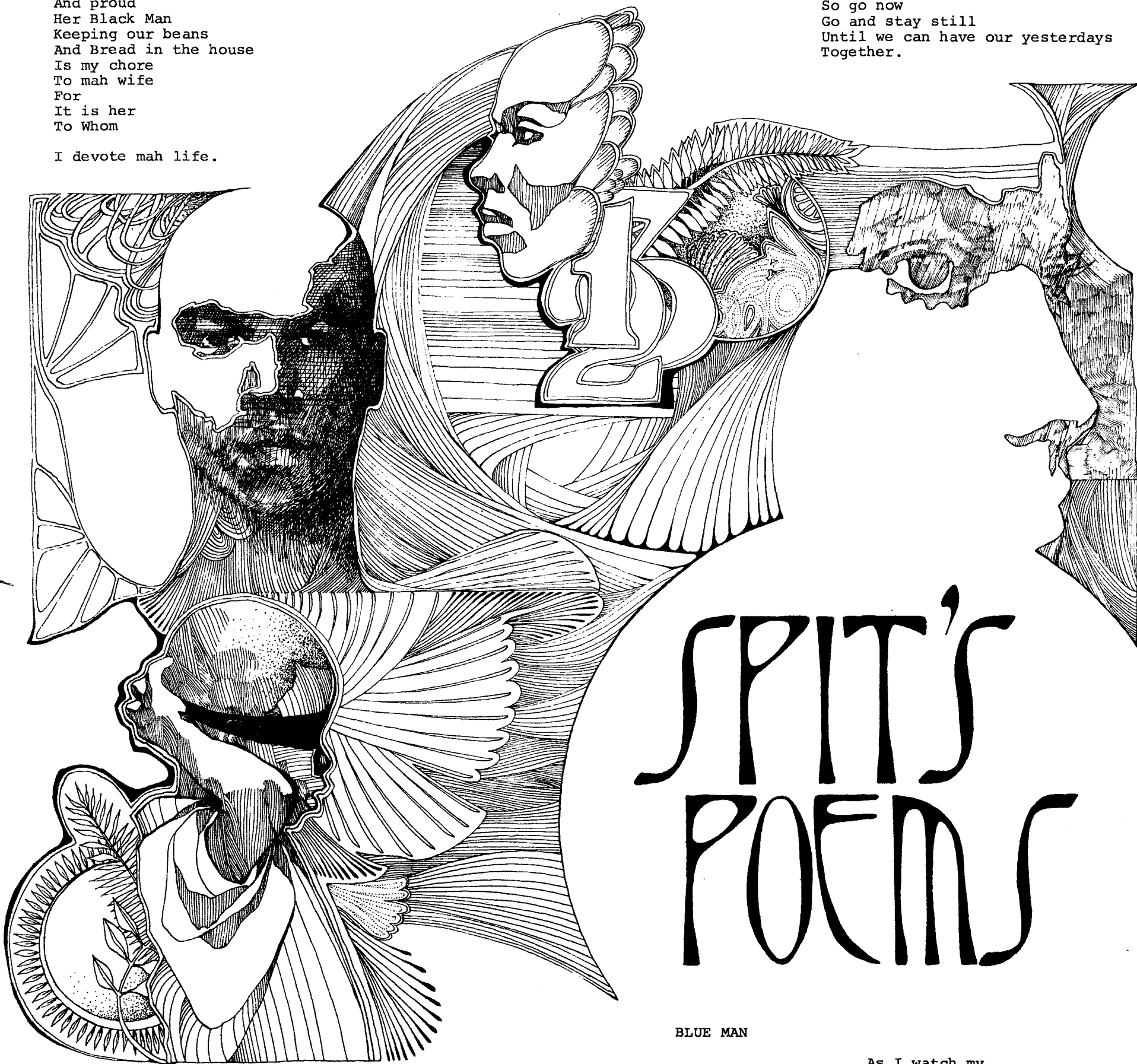
I need what you were
 Not what you have
 I don't want your love
 I want the woman
 You were
 Not the girl
 They think you are.

NEW TIME

Yes its you
 That I love
 But that love
 Is not what
 We need
 To fight
 The beasts
 That hold me

Though you are all I have
 I would not ask you
 Stay here with me

So go now
 Go and stay still
 Until we can have our yesterdays
 Together.



SPIT'S POEMS

The Light I Never Saw

When I was but

A child

I saw all

The things I couldn't Be

Now I'm a man

I see all the things

I am not

That is all your Life

Has given me

Except the will to be

Free.

BLUE MAN

Negro youth

At the feet of

I saw my Negro childhood

The world is turning

Can't you see that is

The more you look

A Nigger here

And you Look again

Where in the Hell have you been?

As I watch my

Fall

A world of Blacks

And to hell with you

Too Black

The way it is going to be...

The more you see

And a Black Man here

And say

Something different at the court

ERBIN CROWELL

THERE is such a slim chance of justice resulting from a court trial these days, it is reassuring to see some sanity at the bench. Not many people saw it, and indeed, it was a relatively small matter, although the trial dealt, as increasing numbers tend to, with basic political and constitutional issues.

Superior Court is even busier than usual lately. Small gatherings of mostly young people have hitched from all over the country -- a few to stand trial, most to have their cases dismissed in the government confusion following the police sweeps of the Mayday roundup. Many of them are getting their first taste of United States justice, and almost all of them, if they hadn't gotten it already, find it an embittering experience.

The most commonly heard opinion of anyone not connected with the prosecution machine is "farce. . . what a fucking farce." One hears it most in stage whispers in the backs of courtrooms. And it can be seen in the faces of the cops who are waiting to lie about what they had to do because it's their job. Roughly half the cops in the building seem to be undercover spies: cool, black street cats with stark afros and shades, with bright dashikis covering their heavy revolvers; hip, white dudes with beards, love beads and pistols; there are only a few traditionally suited and tied detectives. The way to tell undercover agents from the hip young lawyers wearing expensive mod fashions and wildly coiffed hair is to notice whether they are carrying a firearm.

The trial of the four Quakers, from among the 40 who were arrested by park police on May 2, distinguished itself from other trials. Legal procedure moved almost without a hitch for the defendants whose offense against society was, in the words of a prosecution witness, "standing roughly in a circle, singing, chanting, praying and talking about their philosophies of life." Park police threw them in jail because they chose to have their worship service in La-Park on the afternoon of May 2. The Quakers were tried specifically for not obtaining a permit to be in the public park -- national park land.

The permit, requiring a pile of paperwork with 15 days advance notice, is being challenged as unconstitutional before an appeals court, and the ACLU is assisting most of the defendants in an additional test case. Two of the 40 had already been tried, convicted and fined. And three of the remaining chose to represent themselves, over the expectable protests of all attorneys who knew about it. But Betsy Cazden, who graduated from Oberlin this spring, decided that, among other things, she didn't want to be a female spectator in a male-dominated court system. Thom McCue, a student in San Francisco planning to spend the rest of the summer in the Carolina mountains helping to construct a log lodge, and Martha Rhoads, a teacher in a rural Virginia free school, also chose to defend themselves. David Robinson, who had hitched down from Pennsylvania to support his friends -- and incidentally to be here for his trial on another Mayday bust -- strode wild-haired, bespectacled and barefoot into the court building and decided to stand with his friends. "I came from Bethlehem, but that's not where I'm going," he said as they began to get to know each other and briefly share thoughts on their

defense. (David stood trial with no shoes on his weathered feet; only his plain sportshirt and J.C. Penny slacks were visible to the judge. He has such an open, innocent sureness about him that the waitress of a downtown restaurant could only meekly inquire if he didn't have some shoes in his pocket that he could put on.)

There was not much for attorney James Jonstone to do but hang around and give whatever advice the defendants would accept. He was probably as helpful as an attorney can be, and by the end of the day the defendants were voicing their increased regard and even affection for him. Jonstone's jittery fatigue seemed to lessen as the day ground on. More than six hours of administrative shuffling was physically tiring even if it is fantastically quicker than usual. Jonstone was able to guide the four past the unpredictability of Judge Burka, help Thom locate his court-lost legal file, assist David to join the case without a hassle, and late in the afternoon, go with them to Judge George Goodrich, whom he characterized as well thought of, with a reputation for decency -- "and he's even a Nixon appointee, I think."

The atmosphere of the courtroom was markedly different than expected. Goodrich's clerk politely arranged to take Betsy and Thom, accompanied by Jonstone, to talk to the judge about their determination to defend themselves and to waive a jury trial. He finally agreed after assurance there would be no outbreaks or intentional disruptions. Betsy told Goodrich that the defendants "and probably some of our friends" would refuse to stand when he entered, but that it was not because of any personal disrespect for the judge. Back in the courtroom, the defendants carried chairs to the defense counsel table.

"The court of the honorable George Herbert Goodrich is now in session," Goodrich's young black bailiff shouted as he marched briskly past the bench. "Please remain seated and come to order." An Alice-in-Wonderland illusion seemed to be setting in.

Goodrich dismissed the jury panel after trying to convince them that their sitting around all day was probably the most patriotic act of the decade. The jury's departure left the courtroom with only the four government witnesses and eight who were friends of the defendants, including Betsy's mother who flew in to be with her daughter for the trial. Only government witnesses stood for the swearing in; the defendants were "affirmed" while seated.

The park police sergeant who saw the Quakers and the lieutenant he called and the officer who was ordered to arrest them all told about the same story. One cop said he saw "two or three signs" although there was only one -- which the prosecution had entered as Exhibit Number One. (Prosecutor Joseph McSorley quipped that he had worried he would draw a crowd and be arrested himself as he carried the sign to court.) Arresting officer Andre Jordan could barely squeeze his large frame and the armaments hooked to his belt into the witness chair. He looked comically incongruous in his immaculate uniform, holding the simple poster, "Quaker Meeting for Worship," Jordan testified, answering McSorley's question, "and on the other side it says . . . 'Quaker Meeting for Worship.'" Jordan identified all four defendants from photographs and field arrest forms. He and his superiors agreed that the group was absolutely non-violent, peaceful and threatened no one.

The National Park Service's Special Events Section director tried to keep a straight face

as he claimed, under questioning from Thom, that anyone who gathered in the park was under obligation to check with his office -- even groups intending to meet and discuss a baseball game. The office, of course, was closed on Sunday May 2. The lieutenant kept an even straighter face while he assured the judge that everyone knew he was reachable by phone always and could grant emergency permission to gather in the park across from the White House.

Betsy Cozden testified that she called police immediately after the Quaker group decided to hold their worship service: "Our policy has always been open. I informed them of our plans. She said the Metropolitan Police told her she could not contact the park police."

"This is a simple case, though it is unusual," McSorley said in final arguments. "The defendants failed to give 15 days notice as required by the court. Good motives or acts of conscience are no excuse to commit a crime." Through it all, Judge Goodrich had allowed full defense questioning, and he granted the defendants a few moments to confer before making their final arguments.

Thom McCue said it was obvious that the order of 15 days notice was most often waived and was unequally administered and in this case was used merely as an excuse to haul people in. "There were two reasons for our arrest," he said. "We were stereotyped as peace demonstrators because some who worshipped wore buttons and pins. Second, there was general tension in the city caused partly by tens of thousands being driven out of West Potomac Park after the revocation of a legal permit."

Martha Rhoads read part of a 1939 Supreme Court decision in *Hague v. CIO*: "Whenever the title of the streets and parks may rest, they have immemorially been held in trust for the use of the public and time out of mind have been used for the purposes of assembly, communicating thoughts between citizens and discussing public questions. Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights and liberties of citizens."

"We are innocent of charges," she said, "whether or not the court finds us so. . . We were assembling to sing and be silent, to gather our strength to change what we consider harmful, regardless of boundaries imposed upon us to prevent this. We came to confirm the freedom, simplicity, respect for life and love we want to generate."

"The right to assemble peacefully is a right, not a privilege," Betsy Cozden said; "It is not granted by the Constitution, it is protected by it, for it is our right as humans as well as citizens. . . . Even if we were threatening Nixon -- who was over 3000 miles away in San Clemente -- there are security laws to deal with that."

Judge Goodrich, after complementing everyone for assisting in an orderly and dignified procedure, said the decision would be difficult. He noted all the things judges are supposed to note before making difficult decisions, and found everyone guilty as charged. During a bench conference he learned from McSorley that the two punishments meted out in earlier trials were inconsistent -- one a fine of \$10, the other, \$100. Betsy, who joined the bench conference, informed Goodrich that the four would go to jail rather than give the government any fine money. Obviously, said the judge, the defendants hadn't been in the DC jails, implying that they were even worse than the concentration camps set up to hold demonstrators.

"I'm going to fine each of you \$25," Goodrich said. "Would you repeat that?" Thom asked after a long pause. "I'm going to suspend it," answered the judge.

The defendants thanked the judge for "really listening," and the judge once again thanked the defendants for their courtesy. "This has been a warming experience," Prosecutor McSorley -- snowed under with cases even more absurd and repressive than this one -- had said something about not being able to do this much longer. But then, he is just doing his job.

At dinner afterwards, Betsy's mother, a Harvard professor, explained that her courtroom tears were not because of fear, but because she had been genuinely moved by defense arguments.

The group was surprised to learn that one of those who had followed the case had been a one-time FBI informer. Why did you come over to our side, someone asked; what turned you around? "What I learned while I was an FBI informer," he answered.

ANDREA O. COHEN

James Hampton's millennial vision



JAMES Hampton was a black Washington laborer, a seemingly unremarkable, polite and private person who died of cancer at the Mt. Alto Hospital in 1964. Little else is known about this man whose lifework is now on exhibit at the National Collection of Fine Arts. Called "The Third Throne of the Nation's Millennium," the production constitutes a church's entire ecclesiastical appointments.

Hampton had been working on the "Throne" for some 14 years in a garage at 1333-35 7th Street NW. Upon his death the garage owner, Meyer Wertlieb, found himself with what he described to me as "this kooky thing" and six months' unpaid rent. He contacted Hampton's sister, Mrs. Annie Dantzler of Orangeburg, South Carolina, who told him she had no interest in her brother's creation.

Wertlieb ran a classified ad in a local paper which attracted photographer/filmmaker Ed Kelly who needed a studio. He went to look at the garage with Alice Denny, a former assistant director of the Washington Gallery of Modern Art. What they stumbled onto was a treasure trove of elaborate, tinsel-covered tables, chairs, wall plaques, crowns, two tall objects representing Adam and Eve, an altar and a fantastically ornate throne over which hovered a sign reading "Fear Not."

Mrs. Denny, intent on preserving the work, contacted Hampton's sister and all went well until Annie Dantzler was sent legal documents waiving claim to "The Throne." She was apparently intimidated and hasn't been heard from since.

Ed Kelly made a film of the creation and Mrs. Denny infected two journalists with her own enthusiasm. One was Godfrey Hodgson of the London Observer who wrote a piece for the Post describing the work; another by Ramon Geronima on December 14, 1964 piqued the curiosity of Harry Lowe, Curator of the Department of Exhibition and Design of the National Collection of Fine Arts. Lowe acquired the work and donated it to the NCFA.

Mr. Wertlieb told me "I was glad to get it out of the garage and not as concerned with the money I got than knowing it's being taken care of." He was dumbfounded when I told him that the work of the man he described as "a very nice churchgoing man who stopped and talked about the weather, nothing more" is on exhibit at the National Collection.

My first impression of the "Throne" was of a huge, glittering, Baroque-pop extravaganza—a perfect set for the rock opera, "Jesus Christ Superstar." Hampton's materials consisted of leftovers: old pieces of furniture, carefully mended and redesigned; glass light bulbs and jelly jars; cardboard wings and curlicues, and wooden bars and strips. Hundreds of yards of gold and silver foil are carefully molded, cupped, stretched and tacked over every surface. Textures are highlighted and the glitter softened by strategically placed flat, mauve-colored, shaped pieces of cardboard.

The ensemble is more than a dazzling spectacle, and though spectacular is not gaudy. It is a coherent and sustained construction. While every detail is crafted with the greatest

care, none serves as more than a meticulously drawn stitch in an intricately designed tapestry.

Among the epigrams Hampton drew on plaques and panels is one reading: "Where there is No Vision the People Perish." The precise nature of this vision and Hampton's reasons for devoting the better part of his life to it are unknown. There are clues, but they are meager.

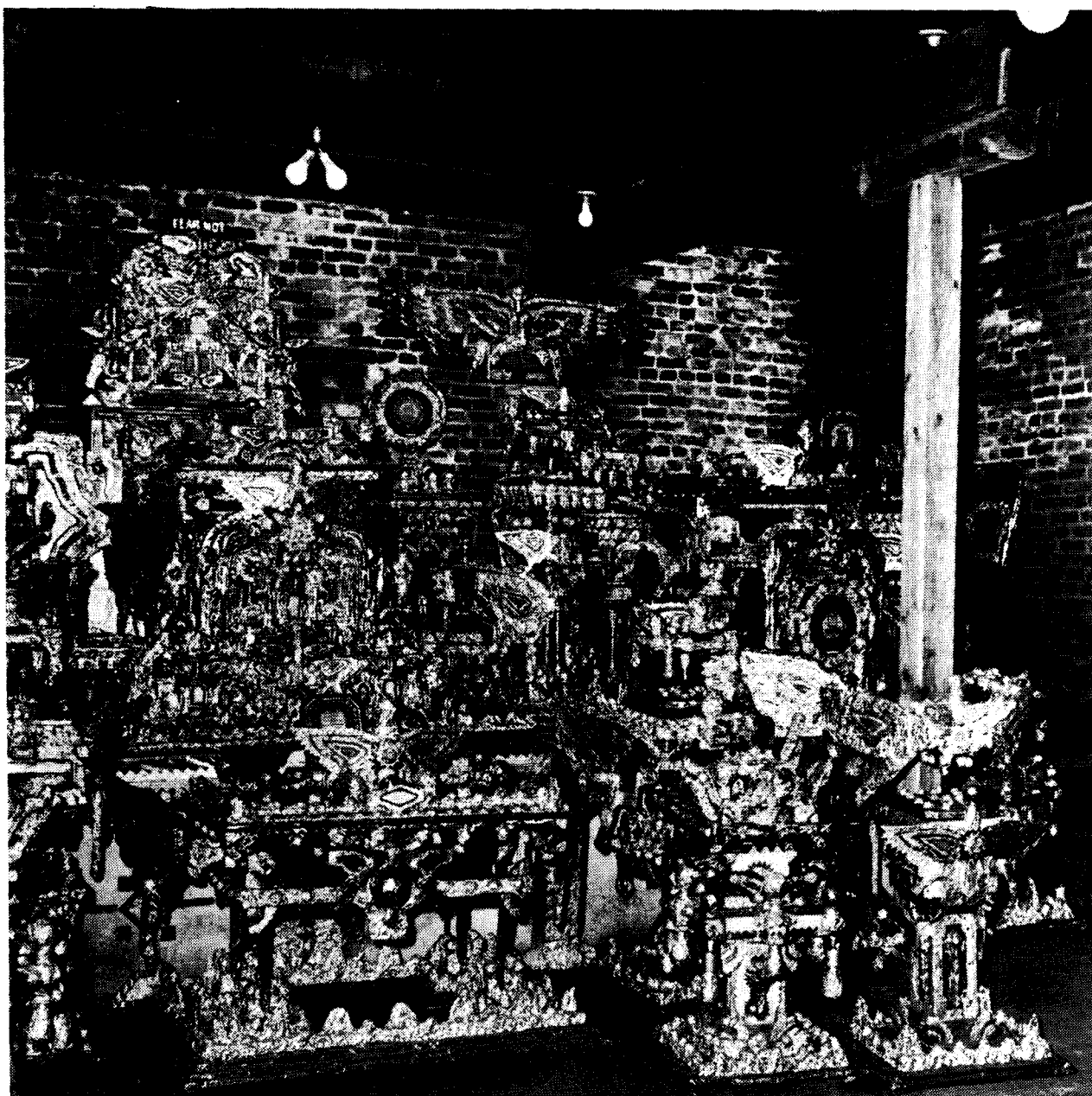
Through her contacts with the Hampton family, Mrs. Denny discovered that James Hampton was a minister's son who first rejected his faith and then returned to it with the fervor of a prodigal son. He labelled each of his pieces. A typewritten note attached to an altar dedicated to Moses reads: "This is true that the great Moses the giver of the 10 Commandments appeared in Washington, April 11, 1931." A label on an altar to the Virgin says: "This is true that on October 2, 1946 the great Virgin Mary and the Star of Bethel appeared over the nation's capitol." There are two altars to Mary, two to Moses; they are positioned on opposite sides of the central altar.

On a bulletin board there is a photograph of a black clergyman, Reverend A. J. Taylor. Hampton's work was apparently intended for Rev. Taylor's church. He left a notebook, each page of which is headed with the typewritten notation, "Taylor Baptist Church, Saint James Pastor." The body of the notebook is written in a cabalistic-looking script, which Harry Lowe believes is a language Hampton invented. The Smithsonian's cryptologist hasn't examine it yet; it remains undecipherable for the present. Further, Hampton seems to have marked his purpose and progress on a map tacked on the bulletin board annotated in the same "language." Also pinned to the board is a book whose cover reads: "The Archives of the State of Eternity, Director, Special Projects." Each page is headed "Millennium laws for Peace on Earth." The last word Hampton wrote in it before he died was "Revelation." The notebooks are unfortunately not included in the present exhibit.

At present there are no further clues to the "vision" that drove James Hampton, to help reveal the real man who lived beneath the quiet

reserved exterior, or that provide the sources of Hampton's sophistication as a craftsman and artist. An analysis of his "language" might provide further information. The markings seem, however, to have no discernible pattern and it is likely that when the Smithsonian's cryptologist gets around to analyzing Hampton's markings he will find they constitute no consistent scheme of communication.

(P. S. I would greatly appreciate any leads or information on James Hampton. Please contact Andrea Cohen at the D. C. Gazette)



FILMS

JOEL E. SIEGEL

Klute

KLUTE, a tough, bleak, urban private-eye movie, is the collaborative effort of several of the few genuine talents left in the wasteland of New Hollywood--director Alan J. Pakula (The Sterile Cuckoo), cinematographer Gordon Willis (Loving, The Landlord) and actors Jane Fonda and Donald Sutherland. A deeply-felt, serious but not unflawed film, Klute is the most absorbing American picture I've seen so far this year.

Sutherland is John Klute, a small-town Pennsylvania private detective who comes to New York City to investigate the disappearance of a friend, a seemingly well-adjusted family man who appears to have led a double life involving sadism and prostitutes and obscene letters. Klute's only lead is Bree, a neurotic model-actress-call girl who received some sick letters from the missing man. Bree leads Klute through Manhattan's nighttown inferno of whores and junkies, a long, difficult journey during which she is forced to explore and accept the landscape of her own life.

Jane Fonda is astonishingly strong and open as Bree, topping even her marvelous performance as Gloria, the damned marathon dancer of They Shoot Horses, Don't They? Miss Fonda exposes emotions with an almost shocking frankness and intimacy and surely her work in Klute will prove to any remaining doubters that she has become our greatest screen actress. As her personal life seems, at least as seen from from a distance, to grow progressively and courageously chaotic, she becomes more beautiful, more affecting and ever more controlled on the screen. No actress working in American movies right now, not even Tuesday Weld, has Miss Fonda's stunning and inescapable presence. I'm sure Pakula has something to do with this brilliant performance; it was he, after all, who transformed Liza Minnelli into the funny, doomed Pookie Adams. Donald Sutherland does what he can with a role that is essentially straight-man to Miss Fonda. Sutherland handles this thankless task gracefully and his mulish face and quiet, righteous manner do much to suggest the provincial integrity of Klute. The other performers--there are perhaps thirty small character cameos--are unusually good. Rita Gam returns in a walk-on and looks much better than she did back in the Fifties when she never quite made it in movies. Only Jean Stapleton as a Bronx secretary fails the film; her intrusive vulgarity would hardly grace a Danny Thomas t.v. show and, coming as late as it does in Klute, one wonders why Pakula didn't simply snip out her short, damaging appearance.

Gordon Willis's cinematography is, like most of his work, magnificent. Thanks to his efforts, Klute is exceptionally well lighted and composed: in this time of klunky camerawork and drug-store processing, Klute is a film with a bold, consistent visual style. Sometimes, as in The Landlord, Willis gets a bit too showoffy in trying to make every shot a virtuoso effort, but most of the way his work adds flair and form

SUMMER FILM SERIES

I have, under the sponsorship of the Smithsonian Associates, assembled a summer program of classic film musicals which will be presented on Tuesdays and Thursdays throughout the month of July. The series, called The Film Musical, begins July 6th with a double bill of Rene Clair's 1931 Le Million and Lewis Milestone's 1933 Hallelujah, I'm a Bum with Al Jolson, Harry Langdon and Rogers and Hart score. July 8th is Busby Berkeley night, featuring the big musical numbers of the 1933 Footlight Parade and a complete screening of Gold Diggers of 1933. July 13th is the Fred Astaire-Ginger Rogers Swing Time of 1936 with its extraordinary Jerome Kern score. Vincent Minnelli's 1944 Meet Me in St. Louis with Judy Garland will be shown on July 15th, an evocation of an idealized American past.

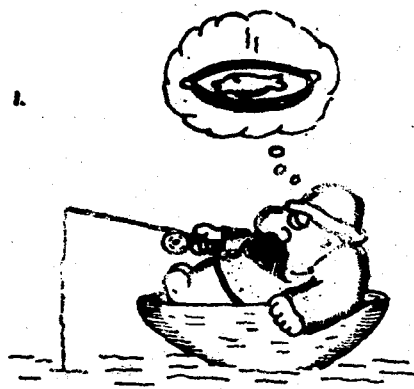
July 20th offers a double bill of Walter Lang's 1945 State Fair with its bountiful, melodic Rodgers and Hammerstein score and Minnelli's The Pirate of 1948, a stylish piece featuring Garland and Gene Kelly and a Cole Porter score. The best of them all, the 1952 Kelly-Stanley Donen Singin' in the Rain will be run on July 22nd. July 27th is another Minnelli film, The Bandwagon with Astaire and a lovely Schwartz-Dietz score. The series ends on July 29th with the Kelly-Donen On the Town, a cheerful 1949 lark with Leonard Bernstein music, and its interestingly bitter sequel, the 1955 It's Always Fair Weather. Screenings, along with short lectures and discussions, will start at 7:00 in Room 43 of the Natural History Building of the Smithsonian. Fee for the series is \$30.00 for members of the Smithsonian Associates and \$40.00 for non-members. Reservations can be made by phoning the Associates at 381-5158. These movies are among the most elegantly entertaining in all of cinema and I hope you can arrange to come and enjoy them with me.

to a rather episodic film. I was particularly impressed by the way in which Willis continually alters the lighting and camera angles used in Bree's apartment to suit the varying moods of the action. I can't begin to draw up a list of the film's memorable shots but two of them haunt my memory. One is a shot of models being interviewed in a fashion magazine office, the seated applicants dwarfed by three huge, futuristic photographic blow-ups of a woman's head. In the other, Miss Fonda, dressed in fur and metal mesh, magically makes her way through a Seventh Avenue dress factory to keep an appointment with one of her regular johns, an old dress manufacturer for whom she invents luridly romantic erotic monologues.

Pakula, in this, his second film, is one of the few directors left in Hollywood who intends his work for human consumption. Although

Klute is emotionally raw and verbally frank even for this premissive time, the director focuses upon the human dimensions of his material rather than the sub-human. (If, like me, you're dismayed with the stomach-churning bloodlettings in virtually every Hollywood movie released this year, you'll appreciate the absence of gore in Klute.) Like Renoir's films, Pakula's work is marked by a deep generosity towards the failures of his characters and by a respect for his actors (he refused to let a willing Liza Minnelli appear topless for fear of exploiting her youthfulness) and his audience. Movies seldom inhabit an atmosphere as sordid and cheerless as Klute's and yet the film is never pandering or titillating. Pakula sets some boundaries on the endlessly cynical possibilities of his story. Quite unfashionably, Klute is marked by an awareness of the inherent dangers in attempting to actualize all sexual fantasy, to release all sexual energy. It is, I think, a Pakulian touch that the missing family man does not turn out to be an incarnation of secret perversion after all. Klute offers a very sympathetic look at the life of a big-city whore but, thanks to Pakula, it does not offer a whore's-eye-view of existence as the only possible view.

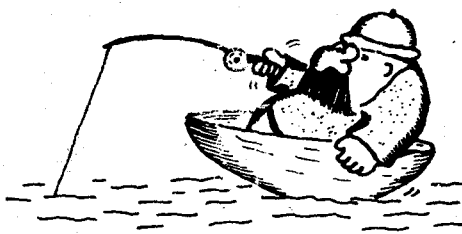
Still, Pakula has his problems. Klute is weakest in its screenplay--precisely where The Sterile Cuckoo was strongest. In trying to steer clear of whore-with-a-heart-of-gold cliches, the screenplay leans rather too heavily on textbook psychology to explain Bree's actions. In conversations with her analyst, Bree verbalizes her motives (and the film's themes) rather too precisely to convince us; in these scenes, she becomes more mouthpiece than character. Klute also has some continuity problems--confusing transitions and awkward flash-forwards of the mystery plot--which reveal Pakula's lack of comfort with the private-eye movie genre. What Pakula and his company are attempting in Klute--an account, both clinical and poetic, of a prostitute's life, a travelogue of the Manhattan demi-world which preys upon human weakness and despair--is just too much for that very limited, and now dated, genre to contain. We end up caring much more about the emotional dimensions of the film than about the who-done-it and will-he-kill-her elements of private eye yarns and grow annoyed when the film's last half-hour collapses into conventional melodrama. Pakula doesn't have any gift for building suspense: like Truffaut in The Bride Wore Black, his sensibility is too generous and compassionate to suit such chores as concocting Hitchcockian thriller chills for an audience. I seriously doubt that suspense, the most manipulative of movie modes, really interests us as much as it use to. What's most pleasing about the best new domestic films, the Pakula movies and Alice's Restaurant and Loving and the Canadian Goin' Down the Road, is that none of them tries to sell us or push us or toady to us. What they are doing, at their best, is opening the world to us and us to it which is, after all, what art is about.



2.



3.



4.



SIPR 9

RIGHTS RESERVED-ALTERNATIVE FEATURES SERVICE

The best of The Times and the worst of times

IT was the best of The Times and the worst of times.

In some ways, it was a spasm of redemption for the profession of journalism; a calling that, of late -- though not suddenly -- has fallen into disrepute, mainly because of the TV newsboys and their slavish acquiescence not just to Agnew but to the Nielsen family, Detroit Michigan and the Ken-L-Ration dogfood company. Among others.

Then, too, one's view of the press is bound to be effected by the posturings and ass-kissings one witnesses here in newsland, USA. It isn't just the tired old Tillies on the society pages who do the flip-flops of adulation and sycophancy, either.

Certainly the lull before the storm bore that out. The non-event of the year -- marriage of a nonentity to a nobody -- had the Washington press at its most unctious and embarrassing. As usual, it was those walking, talking insults to journalism, the broadcasters, who were the most repulsive, but, as T.R.B. noted in the New Republic, on the same Sunday morning that the Times was breaking the story of the year, "The Washington Post, which sometimes forgets to take itself seriously as a newspaper, devoted the entire front page above the fold. . . to the story of Tricia and Ed. . . What a heart throb!" Indeed, the case of the Pentagon Papers, among all the other things it revealed, secondarily reinforced the wide-margin dominance of the New York Times as a powerful but watchdogging newspaper over the Katey-come-lately diffidence and ideological chaos of the Post, which makes the Post certainly no better than a second-rate newspaper and that is giving it the benefit of many doubts.

Times coverage of the wedding was perhaps only a trifle less gushy, but at least it included the typo cited by the Village Voice -- a wedding cake was topped, the Times erred, with a "full-blown Cox." One hopes in the back of one's mind that it wasn't just an act of fortuitous fate (I submit that it is perfectly fair to pick on a President's daughter when she is shoved into the headlines so clumsily).

The Post trotted out its own Pentagon papers after the Times took the great first step, of course, and soon every paper in the country seemed to be taking a leak from somewhere. Note the subtle difference between the Times coverage of the Times litigation and the Post's coverage of its days in court. The Times led with the story of the suppression on Wednesday, June 16 with a 3-line, 5-column head: "JUDGE, AT REQUEST OF U.S., HALTS TIMES VIETNAM

SERIES FOUR DAYS PENDING HEARING ON INJUNCTION." It was splashy but still classy. The Post announced its own legal troubles with less flair, except that somebody at the paper, and we all wonder who, had the extreme bad taste to insist on running a 2-column photograph of publisher Kay Graham and counsel standing in front of a courthouse. A poor picture by most standards; poor journalism by others. The Post showed little initiative, too, in reprinting full texts of the legal papers filed by the government and the paper. This is Times' style.

Of course, the bright hopes inspired by the newspapers' actions--along with CBS President Frank Stanton's refusal to be bullied by a committee of Congressional goons into releasing outtakes from "The Selling of the Pentagon"--these little glimmers are diminished when one contemplates the long range effects of what the government has done, whatever the immediate outcome maybe. We are dealing with old, old men here. Old men so terrified by the spectre of their own failure that they are ready to fling governmental power about with all the reserve and compassion of a Caligula. Old, old men who sit on court benches and think they have earned the right to lecture others on what sort of filthy lies and "simple patriotism" may require. Old men, too, who own and run newspapers, and who must answer to other old men who buy advertising space in them.

If only the creatures of the Nixon administration could be counted on to react with some small measure of tact and sanity to such events, we might feel mildly protected by their own fear of humiliation. But these are creatures who have rationalized away all such fear. It is not really their greed and corruption that threaten us--it is their stupidity, their ineptitude. You cannot tell yourself that they won't do this or won't do that because it would show them to have lost their cool, because they lost that cool the minute they won the election.

Our journalists have hardly hinted at the degree of lunacy and paranoia unleashed in this town and on this country by Nixon and his ghouls. Instead, many have tried to cash in on the Agnew anti-press statements by capitulating with all possible haste. This is most noticeable on the just-folks, nice-guys, titters-and-chuckles TV newscasts, but you can see it too in a little box the Scripps-Howard papers have installed at the top of each day's Washington Daily News. It calls itself "The GOOD NEWSpaper," and I wondered how they justified that title one day when their big headline was "SEVEN HACKED BODIES FOUND IN CALIFORNIA."

Although--come to think of it--it was about the best news of the week.

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MISC.

DC EMPLOYEES for Peace are circulating a petition for the City Council to pass a resolution supporting immediate withdrawal from Indochina. Contact them c/o Wash. Area Peace Action, 293-3855.


FRIENDS Meeting (Quakers) for worship at Lafayette Park each Sunday morning at 12:30. Call 223-1156

QUAKER vigil in front of White House 24 hours a day until the end of the war. Volunteers fro 6 a.m. to noon should call Dick Hathaway at William Penn House, 543-5530.

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